



Senate

General Assembly

File No. 574

January Session, 2007

Substitute Senate Bill No. 1080

Senate, April 25, 2007

The Committee on Planning and Development reported through SEN. COLEMAN of the 2nd Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING REGISTRATION AND INSPECTION REQUIREMENTS FOR ANIMAL SHELTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-327 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2007*):

3 As used in this chapter:

4 (1) "Animal" means any brute creature, including, but not limited to,
5 dogs, cats, monkeys, guinea pigs, hamsters, rabbits, birds and reptiles;

6 (2) "Animal shelter" means a facility used to house five or more
7 animals for the purpose of rescue, protection or adoption and that is
8 owned, operated or maintained by a person, organization, partnership
9 or corporation devoted to the rescue, welfare, protection and humane
10 treatment of such animals;

11 [(2)] (3) "Chief Animal Control Officer", "Assistant Chief Animal

12 Control Officer" and "animal control officer" mean, respectively, the
13 Chief State Animal Control Officer, the Assistant Chief State Animal
14 Control Officer and a state animal control officer appointed under
15 section 22-328;

16 [(3)] (4) "Commercial kennel" means a kennel maintained for
17 boarding or grooming dogs or cats, and includes, but is not limited to,
18 any veterinary hospital which boards or grooms dogs or cats for
19 nonmedical purposes;

20 [(4)] (5) "Commissioner" means the Commissioner of Agriculture;

21 [(5)] (6) "Grooming facility" means any place, other than a
22 commercial kennel, which is maintained as a business where dogs are
23 groomed;

24 [(6)] (7) "Keeper" means any person, other than the owner,
25 harboring or having in his possession any dog;

26 [(7)] (8) "Kennel" means one pack or collection of dogs which are
27 kept under one ownership at a single location and are bred for show,
28 sport or sale;

29 [(8)] (9) "Municipal animal control officer" means any such officer
30 appointed under the provisions of section 22-331;

31 [(9)] (10) "Pet shop" means any place at which animals not born and
32 raised on the premises are kept for the purpose of sale to the public;

33 [(10)] (11) "Poultry" means all domestic fowl and any pheasants or
34 other game birds securely confined and lawfully owned and possessed
35 by any person under the provisions of section 26-40;

36 [(11)] (12) "Regional animal control officer" and "assistant regional
37 animal control officer" means a regional Connecticut animal control
38 officer and an assistant regional Connecticut animal control officer
39 appointed under the provisions of section 22-331a; and

40 [(12)] (13) "Training facility" means any place, other than a

41 commercial kennel or grooming facility, which is maintained as a
42 business where dogs are trained.

43 Sec. 2. Section 22-342 of the general statutes is repealed and the
44 following is substituted in lieu thereof (*Effective October 1, 2007*):

45 (a) Any owner or keeper of a kennel who breeds more than two
46 litters of dogs annually shall apply to the town clerk in the town in
47 which such kennel is located for a kennel license. Any owner or keeper
48 of a kennel who breeds not more than two litters of dogs annually may
49 apply to the town clerk of the town in which such kennel is located for
50 a kennel license. For the purposes of this section, annually shall refer to
51 the kennel license year which begins July first. Such town clerk shall
52 issue to such applicant a kennel license on a form prescribed by the
53 commissioner for a period from the date of such application until the
54 thirtieth day of the ensuing June. The license shall specify the name
55 and number of the kennel, the name of the owner and the name of the
56 keeper and shall be in lieu of any other license required for any dog of
57 either sex which may be kept in such kennel during the period for
58 which the license is issued. Each license may be renewed from year to
59 year by the town clerk upon application of such owner or keeper. Each
60 such owner or keeper shall cause to be kept, upon each dog in such
61 kennel, while it is at large, a collar or harness of leather or other
62 suitable material, to which collar or harness shall be securely attached
63 a tag or plate upon which shall appear the number of the kennel
64 license, the name of the town issuing the license and the year of
65 license. Such plates or tags shall be furnished by the town clerk of the
66 town in which such kennel is licensed, at a cost of ten cents each, in
67 such numbers, not fewer than the number of dogs kept in such kennel,
68 and at such time as the licensee may request. The fee for each kennel
69 license, when no more than ten dogs are kept in the kennel, shall be
70 fifty dollars, and for a license for a kennel containing more than ten
71 dogs, the fee shall be one hundred dollars, except that in the case of a
72 kennel started after the first day of July, the license fee for the
73 remainder of the year shall be a proportional part of the fee charged
74 for one year. If the owner or keeper of any established kennel fails to

75 obtain the kennel license on or before June thirtieth, he shall pay one
76 dollar for each dog kept therein, in addition to the regular kennel fee.

77 (b) An owner or keeper of an animal shelter shall annually register
78 such shelter with the town clerk in the town in which the animal
79 shelter is located. For the purposes of this section, "annually" shall
80 mean a registration year that begins July first. The animal shelter
81 registration issued by the town clerk shall be on a form prescribed by
82 the commissioner and shall be valid from the date of the application
83 until the thirtieth day of the following June. The registration shall
84 specify the name of the owner or keeper and the location of the animal
85 shelter. The registration may be renewed from year to year by the
86 town clerk upon application of the owner or keeper of the animal
87 shelter. The fee for an animal shelter registration shall be twenty-five
88 dollars. The town clerk shall retain two dollars for each fee paid
89 pursuant to this subsection and twenty-three dollars shall become part
90 of the general revenue of the municipality.

91 ~~[(b)]~~ (c) The commissioner, the Chief Animal Control Officer or any
92 state animal control officer may at any time inspect any kennel,
93 including all facilities of any kennel in which dogs are bred or housed
94 or any animal shelter, including all facilities of a shelter in which
95 animals are housed, or cause [it] such kennel or animal shelter to be
96 inspected by a Connecticut licensed veterinarian appointed by the
97 commissioner. If, in the judgment of the commissioner, such kennel or
98 animal shelter is not being maintained in good repair and in a sanitary
99 and humane manner or if the commissioner finds that communicable
100 or infectious disease or other unsatisfactory conditions exist in the
101 kennel [, he] or animal shelter, the commissioner may issue such
102 orders as [he] the commissioner deems necessary for the correction of
103 such conditions and may quarantine the premises and animals. If the
104 owner or keeper of such kennel or animal shelter fails to comply with
105 such orders, the commissioner shall revoke or suspend the kennel
106 license or animal shelter registration of such owner or keeper.

107 ~~[(c)]~~ (d) Any person aggrieved by any order issued under the

108 provisions of this section may appeal to the Superior Court in
109 accordance with the provisions of section 4-183.

110 [(d)] (e) Any person maintaining a kennel or animal shelter after
111 such license or registration has been revoked or suspended as [herein]
112 provided in this section shall be fined not more than one thousand
113 dollars or imprisoned not more than one year, or both.

114 [(e)] (f) Any owner or keeper of a kennel who breeds more than two
115 litters of dogs annually or any owner or keeper who operates an
116 animal shelter and (1) fails to apply for a kennel license as required in
117 subsection (a) of this section or an animal shelter registration as
118 required in subsection (b) of this section, or (2) fails to allow an
119 inspection of such facility as required in subsection [(b)] (c) of this
120 section shall be fined not more than one thousand dollars or
121 imprisoned not more than one year, or both.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2007	22-327
Sec. 2	October 1, 2007	22-342

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Sec. 2	October 1, 2007	22-342

PD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 08 \$	FY 09 \$
Department of Agriculture	SF/GF - None	See Below	See Below

Note: SF=Special Fund (Non-appropriated)

Municipal Impact:

Municipalities	Effect	FY 08 \$	FY 09 \$
Various Municipalities	Revenue Gain	Potential Minimal	Potential Minimal

Explanation

The bill would require an animal shelter owner or keeper, which is defined in the bill, to annually register the shelter with the town clerk. The clerk will retain \$2 and the remainder of the \$25 dollar fee (\$23) will be deposited to the town's general fund. The exact number of shelters is unknown but estimated by the Department of Agriculture at over 150. It is anticipated the revenue gain and any potential workload increase per town will be minimal. Any increase in workload to state animal control officers (ACO) due to the enforcement and inspection requirements in the bill are anticipated to be handled within the current routine duties of ACO's.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 1080*****AN ACT ESTABLISHING REGISTRATION AND INSPECTION
REQUIREMENTS FOR ANIMAL SHELTERS.*****SUMMARY:**

This bill creates registration and inspection requirements for owners and keepers of animal shelters and establishes corresponding penalties, similar to the law concerning kennel owners who annually breed more than two litters of dogs. Under the bill, “animal shelter” means a facility (1) used to house five or more animals for rescue, protection, or adoption purposes and (2) owned, operated, or maintained by a person, organization, partnership, or corporation devoted to the animals’ rescue, welfare, protection, and humane treatment.

The bill also makes technical and conforming changes.

EFFECTIVE DATE: October 1, 2007

ANIMAL SHELTER REGISTRATION, INSPECTION, PENALTIES***Registration***

Under the bill, an animal shelter owner or keeper must annually register the shelter with the town clerk of the municipality where it is located by July 1. The fee is \$25. The town clerk retains \$2 from the fee and the other \$23 goes to the municipality’s general revenue. By law, kennel owners who breed more than two litters of dogs annually must apply for and receive a license from the town clerk where the facility is located. The license fee depends on the number of dogs and time of year.

Under the bill, when an animal shelter owner or keeper applies, the

town clerk issues a registration form that the agriculture commissioner prescribes. The registration is valid from the application date until the following June 30.

The registration must specify the animal shelter owner's or keeper's name and the shelter's location. The town clerk may renew the registration.

Inspection and Orders

By law, the commissioner or any state animal control officer (ACO) may at any time inspect a kennel, including its facilities in which dogs are bred or housed. The bill authorizes ACOs also to inspect animal shelters, and similarly specifies that an inspection includes the shelter's facilities where animals are housed. The law also allows the commissioner or an ACO to have a Connecticut-licensed veterinarian inspect a kennel, and the bill adds animal shelters to this provision.

By law, the commissioner may issue any orders he deems necessary to correct problematic conditions at a kennel. He may quarantine the premises and animals if (1) in his judgment a kennel is not being maintained in good repair and in a sanitary and humane manner or (2) he finds that communicable or infectious diseases or other unsatisfactory conditions exist in the kennel. If the owner or keeper of such a kennel fails to comply with the commissioner's orders, the commissioner must revoke or suspend the owner's or keeper's required kennel license. The bill extends the commissioner's (1) power to make orders to correct problematic conditions to unsatisfactory animal shelters he inspects and (2) duty to revoke or suspend an animal shelter owner's or keeper's registration for non-compliance with orders.

By law and under the bill, any person aggrieved by an order issued pursuant to such an inspection may appeal to Superior Court.

Penalties

Any person maintaining a kennel after his or her license has been revoked or suspended is subject to a fine of up to \$1,000, up to one

year imprisonment, or both. The bill extends this penalty to animal shelter owners or keepers who maintain a shelter after registration suspension or revocation.

By law, any kennel owner or keeper who breeds more than two litters of dogs annually is subject to a fine of up to \$1,000, imprisonment up to one year, or both if he or she fails to (1) apply for a required kennel license or (2) allow an inspection of the facility. The bill extends this penalty to animal shelter owners or keepers who do not (1) register or (2) allow their facilities to be inspected.

BACKGROUND

Commercial Kennels, Pet Shops, and Training and Dog Grooming Facilities

In addition to requirements for kennels, anyone maintaining a commercial kennel, pet shop, training facility, or grooming facility must apply and pay a fee for a license from the agriculture commissioner. Such facilities are subject to inspection and violators are subject to penalties. These facilities generally must also comply with local zoning regulations.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 28 Nay 2 (03/12/2007)

Planning and Development Committee

Joint Favorable Substitute

Yea 20 Nay 0 (04/11/2007)